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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

MIYOKO'S KITCHEN,

Plaintiff,

v.

KAREN ROSS, in her official capacity
as Secretary of the California
Department of Food and Agriculture,
and STEPHEN BEAM, in his official
capacity as Branch Chief of the Milk
and Dairy Food Safety Branch,

Defendants.

Case No. 3:20-cv-00893-RS

**STIPULATION AND ORDER
SETTING BRIEFING
SCHEDULE ON PLAINTIFF'S
MOTION FOR PRELIMINARY
INJUNCTION**

The Honorable Richard Seeborg

Trial Date: Not Set

Action Filed: February 6, 2020

STIPULATION

WHEREAS, Defendants filed their motion to dismiss (ECF 17) on April 23, 2020, and this Court granted (ECF 21) the parties' stipulated briefing schedule on that motion on April 30, 2020,

WHEREAS, Plaintiff filed its motion for a preliminary injunction (ECF 24) on May 26, 2020.

WHEREAS, Defendants' lead counsel, Michael Dorsi, has another matter that will occupy much of his time during the month of June, and Defendants therefore request that their opposition to the preliminary-injunction motion be due on July 16,

WHEREAS, Plaintiff's motion argues that Plaintiff faces an ongoing threat of enforcement from the State of California for engaging in truthful speech and that Plaintiff is suffering and will suffer irreparable harm as a result,

WHEREAS, to facilitate an orderly briefing schedule and afford this Court adequate time to decide Plaintiff's motion, Plaintiff is willing to agree to the requested extension on the condition that Defendants refrain from taking enforcement action against Plaintiff while the motion for preliminary injunction is pending and Defendants have agreed to this condition,

THE PARTIES STIPULATE TO AND JOINTLY REQUEST THE COURT ORDER the following schedule for briefing the plaintiffs' motion for a preliminary injunction:

Defendants' Opposition Due: July 16, 2020

Plaintiffs' Reply Due: July 30, 2020

Hearing Date: August 13, 2020

1 Dated: June 10, 2020

GUPTA WESSLER PLLC
/s/ Deepak Gupta
Deepak Gupta
Attorney for Plaintiff

4 Dated: June 10, 2020

XAVIER BECERRA
Attorney General of California
MYUNG J. PARK
Supervising Deputy Attorney General

7 /s/ Michael S. Dorsi
MICHAEL S. DORSI
Deputy Attorney General
Attorneys for Defendants

10 As the attorney e-filing this document, Deepak Gupta attests that Michael S. Dorsi concurred
11 in the filing of this document. /s/ Deepak Gupta

ORDER

Plaintiff Miyoko's Kitchen and Defendants Karen Ross, in her official capacity as Secretary of the California Department of Food and Agriculture, and Stephen Beam, in his official capacity as Branch Chief of the Milk and Dairy Food Safety Branch, stipulated to a briefing schedule for Plaintiff's Motion for Preliminary Injunction (ECF No. 24) in light of Defendants' agreement to refrain from enforcement while the motion is pending. The parties attest that they prefer this schedule and that the schedule preserves the two-week period between the deadline for the reply brief and the hearing date. Accordingly, the Court finds good cause and adopts the proposed schedule for briefing on Plaintiff's Motion for Preliminary Injunction under Northern District of California Local Rule 6-1(b):

Plaintiff's Response Due: July 16, 2020

Defendants' Reply Due: July 30, 2020

Hearing Date: August 13, 2020

IT IS SO ORDERED

Dated: June 10, 2020



HON. RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA